

MELVIN v. LACKLAND.

{2 Cranch, C. C. 636.}¹

Circuit Court, District of Columbia. Dec. Term, 1825.

TRIAL—EVIDENCE—PAPER READ TO
JURY—CONSENT OF COURT.

No paper can be read in evidence to the jury without the leave of the court.

Mr. Coxe, for defendant, offered to read a paper in evidence to the jury, to which the plaintiff's counsel objected.

THE COURT (MORSELL, Circuit Judge, absent) was divided in opinion upon its admissibility. The question then occurred as to the effect of this division of opinion, that is, whether the paper should be read or rejected.

THE COURT agreed, that no paper can be read in evidence to the jury, without the leave of the court; and as the court could not agree to admit it to be read, it must be considered as rejected. The paper was not read.

¹ [Reported by Hon. William Cranch, Chief Judge.]